

The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.

Paper No. 19

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte CHIN-WEN CHI,
HENG-LIANG LIN,
TSUNG-YUN LIU,
WING-YIU LUI, and
GAR-YANG CHAU

Appeal No. 2004-1039
Application 10/083,565

MAILED

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U.S. PATENT AND TRADEMARK OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES

ORDER REMANDING TO THE EXAMINER

On March 17, 2004, a Docketing Notice was issued by the Board of Patent Appeals and Interferences (BPAI) that indicated no Reply Brief had been filed. Per a telephone conversation with BPAI Supervisory Legal Instruments Examiner, Eleanor Cook, counsel indicated that a Reply Brief had been previously submitted and requested a corrected Docketing Notice.

The Reply Brief was received in the Patent and Trademark Office on February 2, 2004, and has now been matched with the application. However, the examiner has not had the opportunity to consider this paper. The Reply Brief also needs to be assigned a paper number and entered in the "Contents" portion of the administrative file.

Accordingly, it is

ORDERED that the application is remanded to the examiner to:

- (1) assign a paper number to the Reply Brief and enter it in the "Contents" portion of the administrative file;
- (2) consider the Reply Brief;
- (3) provide written notification to appellants of said consideration; and
- (4) for such action as may be appropriate.

It is important that the Board of Patent Appeals and Interferences be informed promptly of any action affecting the appeal (i.e., abandonment, issue, reopening prosecution).

BOARD OF PATENT APPEALS
AND INTERFERENCES



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